



Our File No. 2003-1959.ORI

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re App : Nippon Shokubai Co., Ltd.  
Ser. No. : 10/633,139  
Filed : August 1, 2003  
For : Production process for hydroxyalkyl  
(meth)acrylate

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**INFORMATION DISCLOSURE STATEMENT UNDER RULE 1.56**

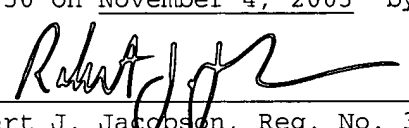
Applicant herein makes available to the Patent and Trademark Office a copy of Form PTO-1449 (one form is enclosed), and a copy of each cited reference is enclosed along with any translations, partial translations, or abstracts referred to below. This Information Disclosure Statement is being filed in accordance with the following provision(s):

- ☐ 37 CFR 1.97(b)(1) Within three months of the filing date of the national application. No fee is required.
- ☐ 37 CFR 1.97(b)(2) Within three months of the date of entry of the national stage as set forth in § 1.491 in the international application. No fee is required.
- ☒ 37 CFR 1.97(b)(3) Before the mailing date of a first Office Action on the merits. No fee is required.
- ☒ 37 CFR 1.97(c) After (if applicable, such as where the Office Action and this IDS cross in the mail) the periods specified in 37 CFR 1.97(b), but before the mailing date of either: (1) a final action under §

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I hereby certify that this correspondence and the documents referred to as enclosed therein are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 4, 2003 by applicant's attorney, Robert J. Jacobson.

  
Robert J. Jacobson, Reg. No. 32,419

1.113 or (2) a notice of allowance under § 1.311, whichever occurs first.

[X] The undersigned hereby certifies that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; or

[ ] The undersigned hereby certifies that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement; or

[ ] Enclosed is a check in the amount of \$240.00 for the fee set forth in 37 CFR § 1.17(p). The Commissioner is hereby authorized to charge any additional fees which may be required under 37 C.F.R. 1.17, or credit any overpayment, to Deposit Account No. 50-0789.

[ ] 37 CFR 1.97(d) After the mailing date of either (1) a final action under § 1.113 or (2) a notice of allowance under § 1.311, whichever occurs first, but before payment of the issue fee.

[ ] The undersigned hereby certifies that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement, or

[ ] The undersigned hereby certifies that no item of information contained in the information disclosure statement was cited in a communication

from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement; and

[ ] Applicant(s) hereby petition the Commissioner of Patents and Trademarks to consider this information disclosure statement. Enclosed is a check in the amount of \$130.00 for the petition fee set forth in § 1.17(i)(1). The Commissioner is hereby authorized to charge any additional fees which may be required under 37 C.F.R. 1.17, or credit any overpayment, to Deposit Account No. 50-0789.

[X] 37 CFR 1.98(a)(3)(i) A concise explanation of the relevance as it is presently understood by the individual designated in § 1.56(c) most knowledgeable about the content of the information, of each patent, publication, or other information listed that is not in the English language. If listed below, the following references are being submitted under this provision:

c. DE 101 27 939  
c. WO 02/100814

[ ] 37 CFR 1.98(a)(3)(ii) A copy of the translation if a written English-language translation of a non-English-language document, or portion thereof, is within the possession, custody, or control of, or is readily available to any individual designated in § 1.56(c). If listed below, the following references are being submitted under this provision:

♦ No references apply here

[X] 37 CFR 1.98(c) When the disclosures of two or more patents or publications listed in an information disclosure statement are substantively cumulative, a copy of one of the patents or publication may be submitted without copies of the other patents or

publications, provided that it is stated that these other patents or publications are cumulative. If listed below, the following references are being submitted under this provision where each of the references within the following groups of references is believed to be cumulative of the other reference in said group:

c. DE 101 27 939  
c. WO 02/100814

The listed documents are brought to the Examiner's attention because they are known to the applicant and/or the applicant's attorney and may be considered by the Examiner to be material to his/her examination. This listing should not be construed as representation that a search has been made or that no better art exists. No inference should be made that the documents are in fact material merely because they are referenced herein. Moreover, no representation is made that any brief descriptions of the references herein necessarily describe the most material aspects of the references. Further, by this listing, the applicant is not making any admission regarding the relative dates of the invention and listed disclosures.

The Examiner is requested to consider carefully the complete text of these documents in connection with the examination of the above-identified application in accordance with 37 CFR 1.104(a). It is requested that the documents listed on the attached Form PTO-1449 be included in the "References Cited" portion of any patent issuing from this application (M.P.E.P. 1302.12), and that the Examiner initial and return a copy of the form to evidence consideration of the documents.

For the information of The Patent Office, please find further enclosed an EPO Communication (document "a") dated October 20, 2003 (one page) having a European Search Report (one page) and an Annex to the European Search Report (one page)

listing references b-c.

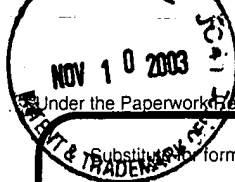
Dated: November 4, 2003

Respectfully submitted,

HAUGEN LAW FIRM PLLP

A handwritten signature in black ink, appearing to read "Robert J. Jacobson", with a stylized flourish at the end.

Robert J. Jacobson  
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Minneapolis, MN 55402  
Phone: 612-339-8300



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/633,139
				Filing Date	August 1, 2003
				First Named Inventor	Hiroyuki TAKAKI
				Art Unit	1754
				Examiner Name	
Sheet	one	of	one	Attorney Docket Number	2003.1959.ORI

U.S. PATENT DOCUMENTS						
Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
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FOREIGN PATENT DOCUMENTS								
Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)				
	b	EP	1 134 212	A1	09-19-2001	Nippon Shokubai Co., Ltd.		
	c	DE	101 27 939	A1	05-29-2002	BASF AG		
	c	WO	02/100814	A1	12-19-2002	BASF AG		

Examiner Signature		Date Considered	
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.